

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

AUG 10 2010

827

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ISIAH DOZIER,

Defendant.

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CR 09-40045-01

ORDER

Counsel for Defendant has filed a Second Motion for Continuance, Doc. 135, requesting the Court to continue the dates currently in force for the filing of motions, the motion hearing, plea deadline, and jury trial for a period of at least six (6) weeks, and the Government has no objection; and after consideration of the file in this matter, the Court finds that failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and further that failure to grant the continuance would deny the public interest in bringing this case to trial in an orderly fashion. Further, the Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendant in a speedy trial. For all of those reasons as well as those set forth in the Motion;

IT IS ORDERED:

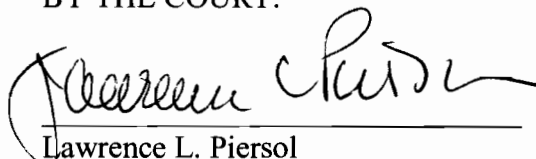
1. That Defendant's Second Motion for Continuance, Doc. 135, is granted in part and denied in part.
2. That all other motions as to Defendant herein be filed and served on or before September 9, 2010; that opposing counsel respond thereto on or before September 16, 2010; and that a hearing thereon will be held before The Honorable John E. Simko, in Sioux Falls, South Dakota, on Thursday, September 23, 2010, at 9:30 A.M.; and the Court will not consider a stock motion for leave to file further motions, however, the Court will consider a motion filed by a party after the deadline if the party can show good cause as to why the

motion was late filed.

3. That September 27, 2010, is hereby set as the deadline for submission to the Court of any proposed plea agreement.
4. That all motions in limine shall be in writing and filed, together with proposed instructions, with the Court ten (10) working days before trial.
5. That the jury trial herein for Defendant shall commence in Sioux Falls, South Dakota, on Monday, November 22, 2010, with counsel to be present for motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.
6. That the period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense for the Defendant must commence, as the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Dated this 10th day of August, 2010.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY